

1 Matt Olavi (Bar No. 265945)
2 molavi@olavidunne.com
3 Brian Dunne (Bar No. 275689)
4 bdunne@olavidunne.com

5 **OLAVI DUNNE LLP**
6 800 Wilshire Blvd., Suite 320
7 Los Angeles, California 90017
8 Telephone: (213) 516-7900
9 Facsimile: (213) 516-7910

10 *Attorneys for Plaintiff Eclipse IP LLC*

11
12 **UNITED STATES DISTRICT COURT**
13 **CENTRAL DISTRICT OF CALIFORNIA**
14

15 ECLIPSE IP LLC, a Florida Limited
16 Liability Company,

17 Plaintiff,

18 v.

19 GOOGLE INC., a Delaware
20 Corporation; WAZE, INC., a Delaware
21 Corporation,

22 Defendants.
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27
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) Case No. 13-cv-09502-ODW(PLA)

) **PROOF OF SERVICE OF**
) **SUMMONS AND COMPLAINT**

POS-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): OLAVI DUNNE LLP Matt Olavi, Esq. (SBN 265945); Brian J. Dunne, Esq. (SBN 275689) 800 Wilshire Boulevard, Suite 320 Los Angeles, California 90017 TELEPHONE NO.: (213) 516-7900 FAX NO. (Optional): (213) 516-7910 E-MAIL ADDRESS (Optional): molavi@olavidunne.com; bdunne@olavidunne.com ATTORNEY FOR (Name): Plaintiff, ECLIPSE IP LLC	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF [USDC] STREET ADDRESS: 312 North Spring Street, G-8 MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, California 90012 BRANCH NAME: CENTRAL DISTRICT - WESTERN DIVISION	
PLAINTIFF/PETITIONER: ECLIPSE IP LLC, etc. DEFENDANT/RESPONDENT: GOOGLE, INC., a Delaware Corporation; et al.	CASE NUMBER: 2:13-cv-09502-ODW-PLA
PROOF OF SERVICE OF SUMMONS	Ref. No. or File No.: 1064828KS

(Separate proof of service is required for each party served.)

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of:
 - a. ☒ summons
 - b. ☒ complaint
 - c. ☐ Alternative Dispute Resolution (ADR) package
 - d. ☐ Civil Case Cover Sheet (served in complex cases only)
 - e. ☐ cross-complaint
 - f. ☒ other (specify documents): SEE ATTACHED LIST OF DOCUMENTS
3. a. Party served (specify name of party as shown on documents served):
 GOOGLE, INC., a Delaware Corporation
 - b. ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a):
 CSC-Lawyers Incorporating Service, Inc., Agent, served Nai Saetern, Receptionist
4. Address where the party was served:
 2710 Gateway Oaks Drive, Suite 150N, Sacramento, California 95833-3503
5. I served the party (check proper box)
 - a. ☒ by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): 01/02/2014 (2) at (time): 1:05 p.m.
 - b. ☐ by substituted service. On (date): at (time): I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3):
 - (1) ☐ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - (2) ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - (3) ☐ (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - (4) ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): from (city): or ☐ a declaration of mailing is attached.
 - (5) ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.

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PLAINTIFF/PETITIONER: ECLIPSE IP LLC, etc.	CASE NUMBER: 2:13-cv-09502-ODW-PLA
DEFENDANT/RESPONDENT: GOOGLE, INC., a Delaware Corporation; et al.	

5. c. ☐ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,
- (1) on (date): (2) from (city):
- (3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt*.) (Code Civ. Proc., § 415.30.)
- (4) ☐ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)
- d. ☐ by other means (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

- a. ☐ as an individual defendant.
- b. ☐ as the person sued under the fictitious name of (specify):
- c. ☐ as occupant.
- d. ☒ On behalf of (specify): **GOOGLE, INC., a Delaware Corporation**
under the following Code of Civil Procedure section:

- | | |
|---|---|
| <input type="checkbox"/> 416.10 (corporation) | <input type="checkbox"/> 415.95 (business organization, form unknown) |
| <input type="checkbox"/> 416.20 (defunct corporation) | <input type="checkbox"/> 416.60 (minor) |
| <input type="checkbox"/> 416.30 (joint stock company/association) | <input type="checkbox"/> 416.70 (ward or conservatee) |
| <input type="checkbox"/> 416.40 (association or partnership) | <input type="checkbox"/> 416.90 (authorized person) |
| <input type="checkbox"/> 416.50 (public entity) | <input type="checkbox"/> 415.46 (occupant) |
| | <input checked="" type="checkbox"/> other: FRCP 4(h)(1) |

7. Person who served papers

- a. Name: **Jebb Mirell, Ace Attorney Service, Inc.**
- b. Address: **901 F Street, Suite 150, Sacramento, California 95814**
- c. Telephone number: **(916) 447-4000**
- d. The fee for service was: \$
- e. I am:

- (1) ☐ not a registered California process server.
- (2) ☐ exempt from registration under Business and Professions Code section 22350(b).
- (3) ☒ a registered California process server:
- (i) ☐ owner ☒ employee ☐ independent contractor.
- (ii) Registration No.: **2011-39**
- (iii) County: **SACRAMENTO**

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9. ☐ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: January 6, 2014

JEBB MIRELL

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)

SHORT TITLE: ECLIPSE IP LLC, etc.

v. GOOGLE, INC., a Delaware Corporation; et al.

CASE NUMBER:

2:13-cv-09502-ODW-PLA

ATTACHED LIST OF DOCUMENTS

1. CIVIL COVER SHEET;
2. REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK;
3. CERTIFICATION AND NOTICE OF INTERESTED PARTIES;
4. NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES;
5. NOTICE TO PARTIES OF COURT-DIRECTED ADR PROGRAM;
6. NOTICE TO PARTIES: COURT POLICY ON SETTLEMENT AND USE OF ALTERNATIVE DISPUTE RESOLUTION (ADR)

Attached List of Documents to POS for Summons & Complaint

#1064828KS

(Required for verified pleading) The items on this page stated on information and belief are (specify item numbers, *not* line numbers):

This page may be used with any Judicial Council form or any other paper filed with the court.

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